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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,025	12/09/2003	Timothy A. Hazzard	014208.1639 (70-03-021)	7501
35005	7590	09/17/2008		
BAKER BOTTS L.L.P. 2001 ROSS AVENUE, 6TH FLOOR DALLAS, TX 75201-2980			EXAMINER REFAI, RAMSEY	
			ART UNIT 3627	PAPER NUMBER
			NOTIFICATION DATE 09/17/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOmail2@bakerbotts.com  
PTOmail4@bakerbotts.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/733,025	<b>Applicant(s)</b> HAZZARD ET AL.	
	<b>Examiner</b> Ramsey Refai	<b>Art Unit</b> 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/09/03,08/31/07</u> .                                       | 6) <input type="checkbox"/> Other: _____                          |

Art Unit: 3627

### **DETAILED ACTION**

Responsive to claims filed December 9, 2003. Claims 1-20 are presented for examination.

#### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted 12/09/03 and 08/31/07 are being considered by the examiner.

#### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

#### ***Drawings***

3. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because **the drawings are handwritten and unreadable**. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.
4. The drawings are objected to under 37 CFR 1.83(a). **The drawings must show every feature of the invention specified in the claims**. Therefore, the features of claims 1-20 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing

Art Unit: 3627

sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Teper et al (US Patent No. 5,815,665).

7. As per claim 1, Teper et al teach a method for providing access to a service, comprising:  
providing at least a subset of a directory of a plurality of services to a portal  
communicating with a user system (**see at least column 5, lines 49-55, column 8, line 64-**

Art Unit: 3627

**column 9, line 24; customized services for individual users)**, the plurality of services associated with a plurality of third party vendors, a service of the plurality of services comprising use of a software application **(see at least column 1, lines 13-31, column 8, lines 7-19)**;

receiving a selection of one or more selected services of the plurality of services from the user system **(see at least column 9, lines 9-53, fig 2; user is presented with customized services and selects a service provided by a service provider**, the one or more selected services associated with one or more conditions governing access to the one or more selected services; receiving a user identifier; linking the one or more selected services with the user identifier; and allowing the user identifier access to the one or more selected services according to the one or more conditions **(see at least column 9, lines 50-60, column 15, line 57-column 16, lines 18)**.

8. As per claim 2, Teper et al teach wherein providing at least the subset of the directory of the plurality of services to the portal communicating with the user system further comprises: receiving a search value of a search variable from the user system; identifying the subset of the directory according to the search value; and providing at least the subset of the directory **(see at least column 3, line 65-column 4, line 5; user specified preferences)**.

9. As per claim 3, Teper et al teach wherein providing at least the subset of the directory of the plurality of services to the portal communicating with the user system further comprises: providing a list of a plurality of categories of the plurality of services; receiving a selected category of the plurality of categories from the user system, the selected category comprising the subset of the directory; and providing at least the subset of the directory **(see at least column 5, lines 49-55, column 8, line 64-column 9, line 24)**.

10. As per claim 4, Teper et al teach wherein allowing the user identifier access to the one or more selected services according to the one or more conditions further comprises: verifying a

Art Unit: 3627

passcode corresponding to the user identifier; and providing the user identifier access to the one or more selected services in response to verifying the passcode, the one or more selected services comprising at least one service furnished by at least one third party vendor **(see at least column 9, lines 50-60, column 15, line 57-column 16, lines 18).**

11. As per claim 5, Teper et al teach wherein allowing the user identifier access to the one or more selected services according to the one or more conditions further comprises: determining usage of access to the one or more selected services; calculating compensation for the usage according to the one or more conditions; and providing the compensation to at least one third party vendor furnishing the one or more selected services **(see at least column 1, lines 37-41, column 8, lines 20-25).**

12. As per claim 6, Teper et al teach wherein allowing the user identifier access to the one or more selected services according to the one or more conditions further comprises allowing the user identifier access to the one or more selected services through the portal **(see at least column 9, lines 50-60, column 15, line 57-column 16, lines 18).**

13. As per claims 7-20, these claims contain similar limitations as claims 1-6 above and therefore are rejected for similar reasons.

### ***Conclusion***

Examiner's Note: The Examiner has cited specific citations in the reference(s) as applied to the claim(s) above for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the Applicant, in preparing their response, fully consider the references in entirety as potentially

Art Unit: 3627

teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai  
September 10, 2008  
/R. R./  
Examiner, Art Unit 3627

/F. Ryan Zeender/

Supervisory Patent Examiner, Art Unit 3627